

**REZONING APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application #: 216-012

Date Received: 3/1/16

Application Accepted By: SP + TD

Fee: \$3200

Comments: Assigned to James Burdin; JBurdin@columbus.gov; 614-645-1341  
Shannon Pine; spine@columbus.gov; 614-645-2208

**LOCATION AND ZONING REQUEST:**

Certified Address (for Zoning Purposes) 3561 Sullivant Ave Zip 43204

Is this application being annexed into the City of Columbus ☐ Yes ☒ No (circle one)

*If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.*

Parcel Number for Certified Address 010013786

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s) C-5 base zoning with Community Requested Zoning District(s) C PD

Area Commission Area Commission or Civic Association: Commercial Overlay Greater Hilltop Area Commission

Proposed Use or reason for rezoning request: Dollar General: General retail store is not permitted in C-5

(continue on separate page if necessary)

Proposed Height District: H-35 Acreage 0.79

[Columbus City Code Section 3309.14]

**APPLICANT:**

Name Mark Bush, Capital Growth - Buchalter

Address 361 Summit Blvd Ste 110 City/State Birmingham, AL Zip 35243

Phone # 205-263-4584 Fax # \_\_\_\_\_ Email mbush@cgpri.com

**PROPERTY OWNER(S):**

Name Haenszel, James D

Address 5727 Granada Ave City/State Galloway, OH Zip 43119

Phone # 614-207-8427 Fax # \_\_\_\_\_ Email Doc.h5727@yahoo.com

☐ Check here if listing additional property owners on a separate page

**ATTORNEY / AGENT** (CHECK ONE IF APPLICABLE)

☐ Attorney

☒ Agent

Name Travis Munn, Hurley & Stewart, LLC

Address 2800 S. 11<sup>th</sup> St. City/State Kalamazoo, MI Zip 49009

Phone # 269-552-4460 Fax # \_\_\_\_\_ Email: tmmun@hurleystewart.com

**SIGNATURES** (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Mark Bush

PROPERTY OWNER SIGNATURE James D. Haenszel

ATTORNEY / AGENT SIGNATURE Travis Munn

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

**Please make all checks payable to the Columbus City Treasurer**

**REZONING APPLICATION**

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Phone: 614-645-7433 www.columbus.gov

**AFFIDAVIT**

(See instruction sheet)

APPLICATION # Z16-012

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Travis Munn

of (1) MAILING ADDRESS 2800 S 11th St, Kalamazoo, 49009

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES 3561 Sullivant Ave

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) March 1, 2016

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

☐ Check here if listing additional property owners  
on a separate page.

(4) James D. Haenszel

5727 Granada Ave

Galloway, OH

43119

APPLICANT'S NAME AND PHONE #  
(same as listed on front of application)

Mark Bush

205-263-4584

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(5) Greater Hilltop Area Commission

Greg Large

PO Box 28052

Columbus, OH 43228

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property(7)

SIGNATURE OF AFFIANT

(8) [Signature]

Subscribed to me in my presence and before me this 29<sup>th</sup> day of February, in the year 2016

SIGNATURE OF NOTARY PUBLIC

(8) Jennifer Bessent

My Commission Expires:

05/06/2019

*This Affidavit expires six months after date of notarization.*

Notary Seal Here

## REZONING APPLICATION

Department of Building & Zoning Services  
Scott Messer, Director  
757 Carolyn Avenue, Columbus, Ohio 43224-3218  
Phone: 614-645-7433 www.columbus.gov

### PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION # 216-017

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Columbus (Kingsford) DG, LLC  
of (COMPLETE ADDRESS) 361 Summit Boulevard, Ste 110, Birmingham, AL 25243  
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual  
Business or individual's address  
Address of corporate headquarters  
City, State, Zip  
Number of Columbus based employees  
Contact name and number

1. Capital Growth Properties Operating Partners, LP 361 Summit Blvd, Suite 110 Birmingham, AL 35243 Columbus based employees - 0 Steve Camp (25) 968-9288	2. CGP Management II, LLC 361 Summit Blvd, Suite 110 Birmingham, AL 35243 Columbus based employees - 0 Steve Camp (205) 968-9288
3. Scott Smith 361 Summit Blvd, Suite 110 Birmingham, AL 35243 Columbus based employees - 0 Steve Camp (25) 968-9288	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

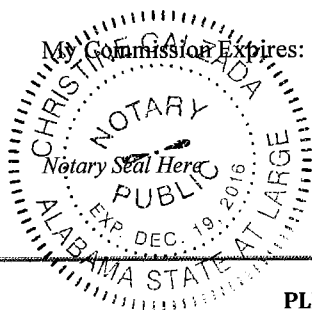
Subscribed to me in my presence and before me this 25 day of February, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

12/19/16

*This Project Disclosure Statement expires six months after date of notarization.*



**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
Please make all checks payable to the Columbus City Treasurer

**Applicant****Property Owners**

216-012

**Agent**

Columbus, OH (Sullivant & Kingsford) DG, LLC.  
MARK BUSH  
361 SUMMIT BLVD, SUITE 110  
BIRMINGHAM, AL 35243

James D. Haenszel  
5727 Granada Ave  
Galloway, OH 43119

HURLEY AND STEWART  
TRAVIS MUNN  
2800 S. 11<sup>TH</sup> ST.  
KALAMAZOO, MI 49009

**Area Commission**

Greater Hilltop Area Commission  
Greg Large  
PO Box 28052  
Columbus, OH 43228

**Surrounding Property Owners**

Alejandro Flores  
3552 Sullivant Ave  
COLUMBUS, OH 43204

Akeel Investment Limited  
684 Riverview Dr Apt 118  
Columbus, OH 43202

Milmer LLC  
3600 Sullivant Ave Ste B  
Columbus, OH 43204

Southern Development Co AFDT  
PO Box 2228  
Columbus, OH 43216

Barret Properties Inc  
3540 Sullivant Ave  
Columbus, OH 43204

Bacilio Mejia  
17249 Fairfax Ct  
Fontana, CA 92336

Timmerman Enterprises II  
410 Washington Square  
Westerville, OH 43081

Pica Pica Properties LLC  
5398 Country Meadow Ct  
Westerville, OH 43082

Turner Enterprises  
3535 Sullivant Ave  
Columbus, OH 43204

BFG Columbus Holdings LLC  
4912 Creekside Dr  
Clearwater, FL 33760



# City of Columbus Zoning Plat *216-012*



## ZONING NUMBER

The Zoning Number Contained on This Form  
is Herein Certified to Obtain Zoning, Rezoning,  
and Variances, and is NOT to be Used for  
the Securing of Building & Utility Permits

Parcel ID: 010013786

Zoning Number: 3561

Street Name: SULLIVANT AVE

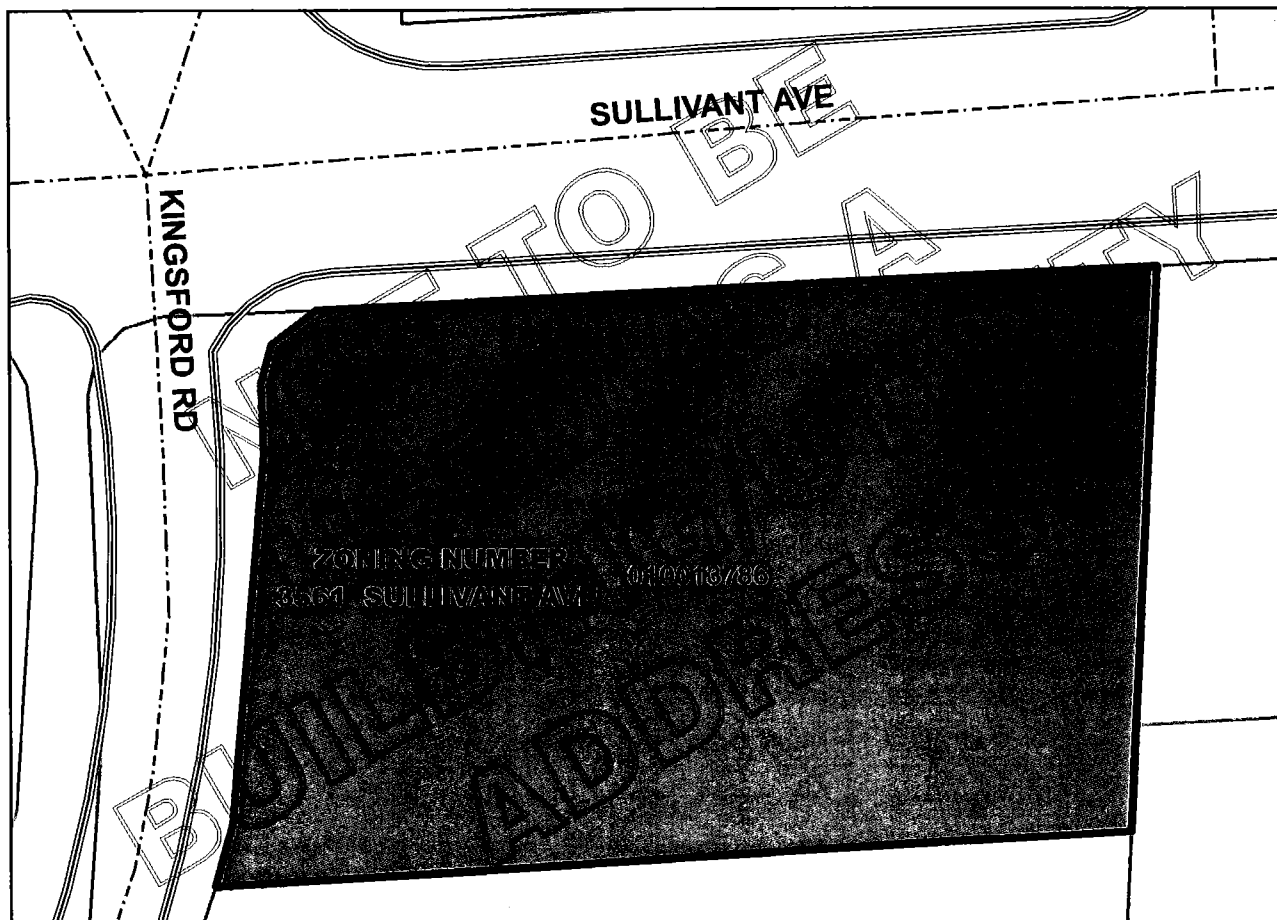
Lot Number: N/A

Subdivision: N/A

Requested By: CAPITAL GROWTH BUCHALTER (MARK BUSH)

Issued By: *Adyana Amarian*

Date: 2/22/2016



JAMES D. YOUNG, P.E., ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 58038

## CPD TEXT

**PROPOSED DISTRICT:** CPD, Commercial Planned Development  
**PROPERTY ADDRESS:** 3561 Sullivant Ave  
**CURRENT OWNER:** James D. Haenszel  
**APPLICANT:** MARK BUSH, CAPITAL GROWTH-BUCHALTER  
**DATE OF TEXT:** FEB 26, 2016  
**APPLICATION:** Z 16-012

1. **INTRODUCTION:** The site is located at the southeast corner of Sullivant Avenue and Kingsford Road. There is an existing building which fronts Sullivant Ave on the property. The site is zoned C-5 and is in the Community Commercial Overlay District. We are proposing a CPD with C-4 uses for a retail development.

2. **PERMITTED USES:** Those uses permitted in Chapter 3356 of C-4, Commercial of the Columbus City Code.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

A. Density, Height, Lot and/or Setback Requirements

1. Building setback line along Sullivant Avenue shall be placed at 25 feet with up to 35% of the building frontage up to 8 feet in advance of the building setback line as shown on the Site Plan.

B. Access, Loading, Parking and/or Traffic Related Commitments

All circulation, curb cuts and access points are as shown on the Site Plan, and are subject to the approval of the Department of Public Service, Division of Traffic Management.

C. Buffering, Landscaping, Open Space, and/or Screening Commitments

1. Street trees shall be planted along public street frontages at one tree per 125 lineal feet of frontage subject to the review and approval of the City Forester.

D. Building Design and/or Interior-Exterior Treatment Commitments:

1. The width of the principal building along Sullivant Avenue shall be a minimum of 30% of the lot width.

2. The building shall be designed in accordance with the attached elevations.

E. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments:

Dumpster shall be screened on three sides to the height of the dumpster with a gate on the fourth side and shall have a 0' setback from the side lot line perpendicular to Kingsford Road and a 5' minimum setback from the side lot line perpendicular to Sullivant Ave.

## F. Graphics

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

## G. Miscellaneous

### 1. Variances.

a) Section 3372.704(A) Building Setback: to reduce the building setback line along Sullivant Avenue for up to 35% of the building frontage from 5 feet to 8 feet in advance of the building setback line.

b) Section 3372.704(C) Building Setback: The setback for a building or structure from an interior lot line shall be a maximum of *135 feet* instead of 50 feet at the front building line.

c) Section 3372.705(B) Building Design Standards: to increase the setback for a building or structure from the east lot line from a maximum of 50 feet to a maximum of 135 feet.

d) Section 3372.705 Building Design Standards (F) to substitute spandrel glass that will not provide a full unobstructed view of the interior to a depth of at least four feet instead of clear window glass.

e) Section 3372.707 Landscaping and Screening (A) To reduce the minimum number of shade trees required by planting one tree per 125 lineal feet instead of one tree per 50 lineal feet of frontage.

2. Site Plan. The subject site shall be developed in accordance with the site plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments of the Site Plan shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

3. Building Elevation. The building shall be developed in accordance with the building elevation drawing. The building elevation may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments of the building elevation shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

### 4. CPD Criteria.

a) Natural Environment. The site is currently developed with a single building.

b) Activities. The proposed development will provide commercial options for the surrounding commercial and residential neighborhoods.

c) Behavior Patterns. Existing development on the site has established vehicular and pedestrian patterns for the area. Existing development has pedestrian sidewalk and has access onto Kingsford and Sullivant in the same locations as the proposed development.

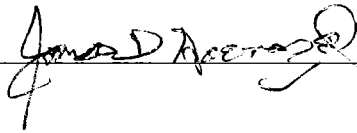
d) Circulation. The site will have access to Sullivant Ave and Kingsford Rd.

e) Form of the Environment. The site is subject to the Community Commercial Overlay which contains building design requirements.

f) Emission. The site will not have negative effects on emission levels of light, sound, smell and dust.

The undersigned, being the owner of the subject property together with the applicant in the subject application, do hereby agree singularly for herself, her heirs, successors and assigns, to abide by the above restrictions conditions, and commitments regarding development of the subject property and for such purpose each states that she fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code except as described within this CPD Text.

SIGNATURE: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "James D. Acenage", is written over a horizontal line.

DATE: \_\_\_\_\_



# LANDTECH PROFESSIONAL SURVEYING AND ENGINEERING

P.O. Box 193 275 McGregor Way  
Grawn, MI 49637  
PHONE: 231-943-0050  
FAX: 231-943-0051  
www.landtechps.com

216-012

## SURVEY DESCRIPTION

City of Columbus  
Franklin County  
State of Ohio

SITUATED IN THE CITY OF COLUMBUS, COUNTY OF FRANKLIN AND STATE OF OHIO:

BEING 0.793 ACRE OUT OF RESERVE "A" OF WESTGATE TERRACE AS THE PLAT OF SAME IS SHOWN OF RECORD IN PLAT BOOK 29, PAGE 41. RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN IN THE SOUTHERLY LINE OF SULLIVANT AVENUE AND AT THE NORTHEASTERLY- CORNER OF SAID RESERVE "A": THENCE ALONG THE EASTERLY LINE OF SAID RESERVE "A" SOUTH 03 DEG. 58' WEST, 150.09 FEET TO AD IRON PIN; THENCE ACROSS SAID RESERVE "A", SOUTH 87 DEG. 43' 40" WEST (BEING PARALLEL TO AND 150 FEET SOUTHERLY AT RIGHT ANGLES FROM THE NORTHERLY LINE OF RESERVE "A"), 235.26 FEET TO AN IRON PIN IN THE EASTERLY RIGHT OF WAY LINE OF RELOCATED KINGSFORD ROAD, BEING ALSO THE EASTERLY LINE OF THE 0.205 ACRE TRACT CONVEYED TO THE CITY OF COLUMBUS BY DEED OF RECORD IN DEED BOOK 3140, PAGE 671; THENCE ALONG SAID RIGHT OF WAY LINE, BEING THE ARC OF A CURVE TO THE LEFT (RADIUS = 380.0 FEET, SUB-DELTA = 17 DEG. 06' 40"), THE CHORD OF WHICH BEARS NORTH 06 DEG. 17' 04" EAST, A CHORD DISTANCE OF 113.00 FEET TO AN IRON PIN AT THE POINT OF TANGENCY OF SAID CURVE; THENCE CONTINUING ALONG THE EASTERLY LINE OF SAID RELOCATED KINGSFORD ROAD, NORTH 02 DEG. 16' 20" WEST 10.10 FEET TO AN IRON PIN AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE (RADIUS = 20.0 FEET, DELTA = 90 DEG. 00'), THE CHORD OF WHICH BEARS NORTH 42 DEG. 43' 40" EAST, A CHORD DISTANCE OF 28.28 FEET TO AN IRON PIN AT THE POINT OF TANGENCY OF SAID CURVE IN A NORTHERLY LINE OF RESERVE "A", BEING ALSO THE NORTHEASTERLY CORNER OF THE CITY OF COLUMBUS 0.205 ACRE TRACT; THENCE ALONG THENORTHERLY LINE OF SAID RESERVE "A", NORTH 87 DEG. 43' 40" EAST 214.04 FEET TO THE PLACE OF BEGINNING.

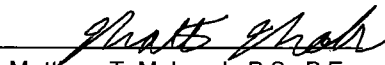
LESS AND EXCEPT THAT PORTION OF LAND RECORDED 03/04/2002 IN INSTRUMENT NO. 200203040056392 OF THE FRANKLIN COUNTY RECORDS.

SITUATED IN THE CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO, AND BEING A PART OF RESERVE "A" OF THE WESTGATE TERRACE SUBDIVISION IN PLAT BOOK 29, PAGE 41, AND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF RESERVE "A" AS SHOWN IN THE ABOVE MENTIONED PLAT, BEING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF SULLIVANT AVENUE AND THE EASTERLY PROPERTY LINE OF RESERVE "A" AND 40.11 FEET RIGHT OF STATION 52-45.34 IN THE CONSTRUCTION CENTERLINE OF SULLIVANT AVENUE AS SHOWN ON THE PLANS FOR DEMOREST ROAD/SULLIVANT AVENUE IMPROVEMENT AND BEING THE TRUE POINT OF BEGINNING FOR THE PARCEL HEREIN CONVEYED; THENCE ALONG SAID PROPERTY LINE SOUTH 2° 49' 28" WEST A DISTANCE OF 1.91 FEET TO A POINT ON THE PROPOSED RIGHT-OF-WAY, SAID POINT BEING 40.41 FEET RIGHT OF STATION 52+45.13 ON SAID CENTERLINE OF SULLIVANT AVENUE; THENCE ALONG SAID PROPOSED RIGHT-OF-WAY SOUTH 86° 35' 07" WEST A DISTANCE OF 223.10 FEET TO A POINT ON THE EXISTING WESTERLY PROPERTY LINE, SAID POINT BEING 42.00 FEET RIGHT OF STATION 50-20.03 ON SAID CENTERLINE OF SULLIVANT AVENUE; THENCE ALONG SAID PROPERTY LINE WITH AN ARC TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, HAVING A CENTRAL ANGLE OF 25° 08' 59", AND A CHORD BEARING NORTH 74° 00' 39" EAST A DISTANCE OF 8.71 FEET TO A POINT, SAID POINT BEING 40.11 FEET RIGHT OF STATION 50-30.53 ON SAID CENTERLINE OF SULLIVANT AVENUE; THENCE ALONG SAID PROPERTY LINE NORTH 86° 35' 07" EAST A DISTANCE OF 214.81 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIPTION WAS PREPARED FROM A SURVEY CONDUCTED BY KORDA/NEMETH ENGINEERING, INC. UNDER THE DIRECTION OF MICHAEL D. WEEKS, PROFESSIONAL SURVEYOR NO. 7357.

BEARING WERE TRANSFERRED FROM A FIELD TRAVERSE PERFORMED BY THE FRANKLIN COUNTY ENGINEER'S OFFICE ORIGINATING ON FRANK 40 AND FRANK 140 AND ARE BASED EN THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. NAD83.

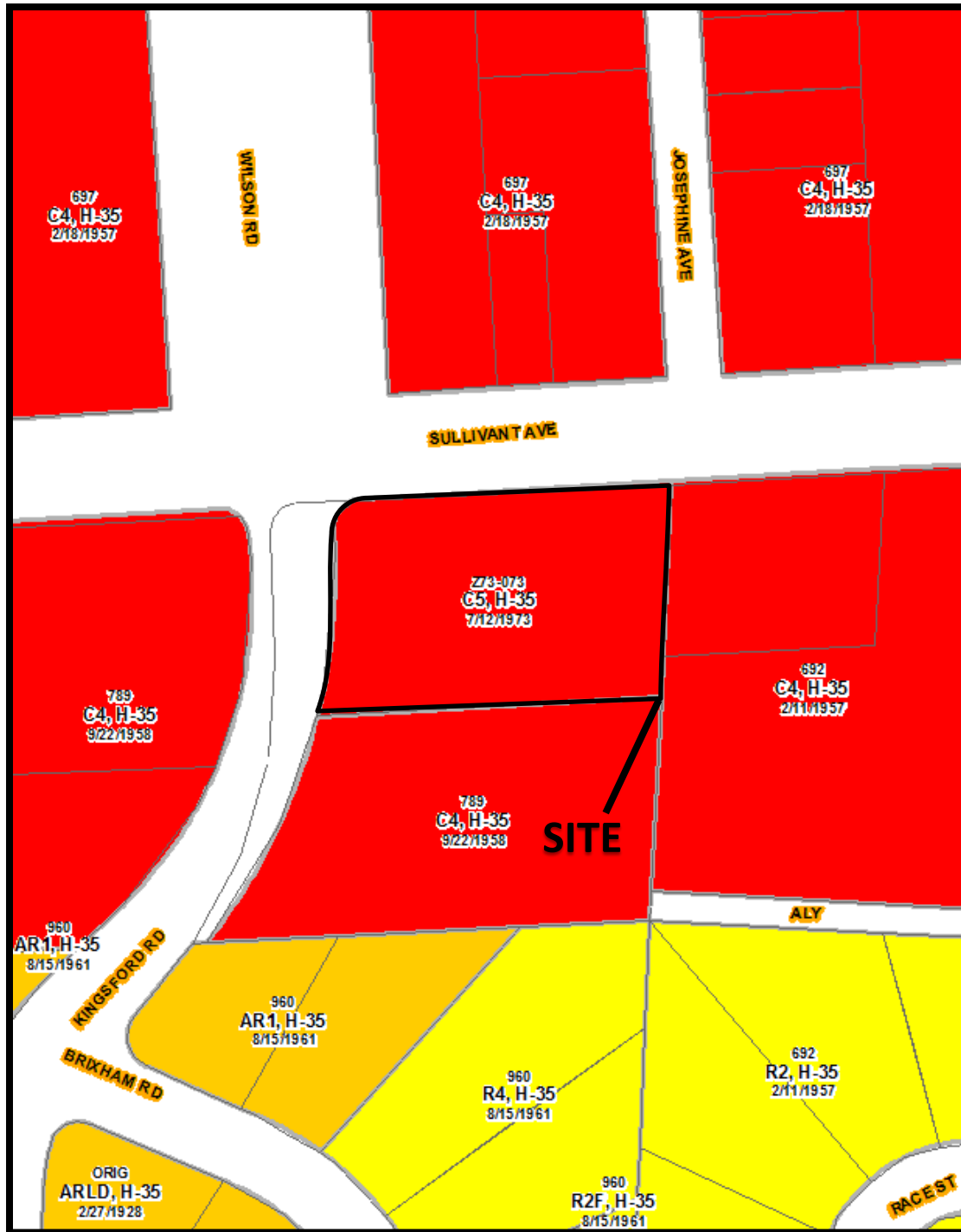
This description was made in accordance with a survey conducted under my direct supervision on January 26 2016. To the best of my knowledge and belief, said survey was executed in accordance with Ohio Administrative Code Chapter 4733-37, Standards for Boundary Surveys.

  
Matthew T. Mokanyk, P.S., P.E.  
Ohio P.S. No. S-8066

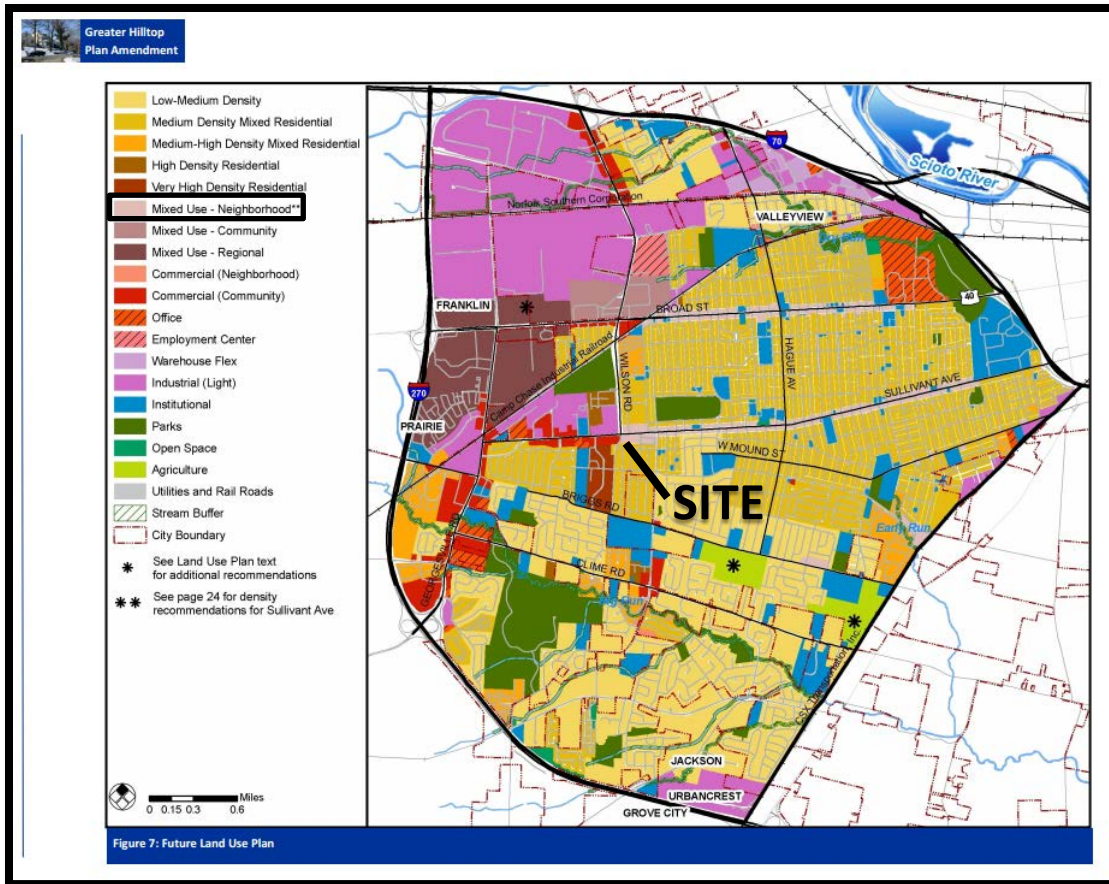
02/25/2015  
Date







Z16-012  
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C-5 to CPD



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